IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FIRST DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE Mr. JUSTICE B. SUDERSHAN REDDY

And

THE HON'BLE Mr. JUSTICE C.V.RAMULU

W.P. Nos.2319, 2322, 2323 & 2354, of 2005

WRIT PETITION No.2319 of 2005

Between:

M/s. Golden Sip Bar & Restaurant

at 6-4-34, Musheerabad Cross Road,
Secunderabad, Rep., by its Proprietor

S. Ameer Basha, S/o Sri Hussain Saheb,
aged about 38 years, Occ: Business.

..... PETITIONER

AND

1. The Commissioner of Police,

Twin Cities, Basheerbagh, Hyderabad.

2. The Station House Officer, PS Gandhinagar, Hyderabad.

.....RESPONDENT(S)

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue appropriate writ, order or direction, particularly a writ of mandamus, declaring the inaction of the 1st respondent in not passing orders on the application submitted by the petitioner on 13-12-2004 for grant of amusement licencse to the petitioner's bar and restaurant for conducting music/singing programme by male and female singers for the year 2005 i.e., from 01-01-2005 to 31-12-2005 from 8.00 p.m. to 12 p.m. (midnight) as illegal, arbitrary, discriminatory, violative of Article 14 of the Constitution of India and contrary to the provisions of the Hyderabad City Police Act, 1348 Fasli and the Rules framed thereunder and further direct the 1st respondent to pass appropriate orders on the petitioner's application dt.13-12-2004 for grant of amusement licence for conducting music/signing programme by male and female singers for the year 2005 i.e., from 01-01-2005 to 31-12-2005 from 8.00 pm to 12 pm (midnight) in the bar and restaurant.

WRIT PETITION No.2322 of 2005

Between:

M/s. Pallavi Bar & Restaurant,

at 1-9-1122/10/1/36, VST Road,
Vidyanagar, Hyderabad-500 044,

Rep. by its Managing Partner,
M. Madhusudan Reddy S/o. Vaima Reddy,

aged about 43 years, Occ: Business.

..... PETITIONER

AND

1. The Commissioner of Police, Twin Cities,

Basheer Bagh, Hyderabad.

2. The Station House Officer, P.S. Nallakunta,

Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue appropriate writ, order or direction, particularly a writ of mandamus, declaring the inaction of the 1st respondent in not passing orders on the application submitted by the petitioner dated 15-12-2004 for grant of amusement licence to the petitioner's bar and restaurant for conducting music/singing programme by male and female singers for the year 2005 as illegal, arbitrary, discriminatory, violative of Article 14 of the Constitution of India and contrary to the provisions of the Hyderabad City Police Act, 1348 Fasli and the Rules framed thereunder the further direct the 1st respondent to pass appropriate orders on the petitioner's application dated
15-12-2004 for grant of amusement licence for conducting music/singing programme by male and female singers for the year 2005 in the bar and restaurant.

WRIT PETITION No.2323 of 2005

Between:

M/s. Nite King Bar & Restaurant,

at 3-6-154, Victory Vision, 5th Floor,

Beside Woodland Shoe Showroom,

Himayathnagar Main Road, Hyderabad,

Rep. by its Proprietor S. Ameer Basha,
S/o. Sri Hussain Saheb, aged about 38 Years.

..... PETITIONER

AND

1. The Commissioner of Police,

Basheerabagh, Hyderabad.

2. The Station House Officer,

P.S. Narayanaguda, Abids Division, Hyderabad.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue appropriate writ, order or direction particularly a writ of mandamus declaring the inaction of the 1st respondent in not passing orders on the application submitted by the petitioner on
13-12-2004 for grant of amusement licence to the petitioner's bar and restaurant for conducting music/singing programme by male and female singers for the year 2005 i.e., from 01.01.2005 to 31.12.2005 from 8.00 p.m. to 12 p.m.
(MIDNIGHT) as illegal, arbitrary, discriminatory, violative of Article 14 of the Constitution of India and contrary to the provisions of the Hyderabad City Police Act, 1348 Fasli and Rules framed thereunder and further direct the 1st respondent to pass appropriate orders on the petitioner's application, dated 13.12.2004, for grant of amusement licence for conducting music/singing programme by male and female singers for the year 2005 i.e., from 01.01.2005 to 31.12.2005 from 8.00 p.m. to 12 p.m. (MIDNIGHT) in the bar and restaurant.

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WRIT PETITION No.2354 of 2005

Between:

M/s. Dolfin Bar & Restaurant

at No.1-2-64/1 & 64/1/1, 95D & 95E,

Siddamsetty Complex, Parklane,
Secunderabad, Rep. by its Managing Partner
P. Sivanarayana, S/o. Late Basava Rao,

aged 62 years, Occ: Business.

..... PETITIONER

AND

1. The Commissioner of Police,

Twin Cities, Basheer Bagh, Hyderabad.

2. The Station House Officer, P.S. Mahankali,

Secunderabad.

.....RESPONDENT(S)

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to Issue appropriate writ, order or direction, particularly a writ of mandamus, declaring the inaction of the 1st respondent in not passing orders on the application submitted by the petitioner on 16.12.2004 for grant of amusement license to the petitioners bar and restaurant for conducting music/singing programme by male and female singers as illegal, arbitrary, discriminatory, vioaltive of Article 14 of constitution of India and contrary to the provisions of the Hyderabad City Police Act, 1348 Fasli and the Rules framed thereunder and further direct the 1st respondent to pass appropriate orders on the petitioners application, dated 16.12.2004, for grant of amusement license for conducting music/singing programme by male and female singers in the bar and restaurant.

Counsel for the Petitioners: MR.J.PRABHAKAR

Counsel for the Respondents: G.P. FOR HOME

The Court made the following :

THE HON'BLE SRI JUSTICE B. SUDERSHAN REDDY

And

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P. Nos.2319, 2322, 2323 & 2354, of 2005

COMMON ORDER: (Per Hon'ble Sri Justice B. Sudershan Reddy)

Sri J. Prabhakar, learned counsel appearing for the petitioners in this batch of writ petitions, stated that the petitioners having received the orders from the Commissioner of Police, Hyderabad, rejecting their request for grant of amusement licence, have already filed writ petitions challenging the same. In such view of the matter, the cause in these writ petitions does not survive requiring any further adjudication and they are accordingly dismissed without any order as to costs.

However, this order shall have no bearing upon the merits of the writ petitions, stated to have been filed by the petitioners challenging the order of rejection, which have to be considered on their own merits.

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B. SUDERSHAN REDDY, J

Date:21-02-2005.

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C.V. RAMULU, J

NOTE:

After signing of this common order by BRSR,J & CVR,J and after dispatching the same, BRSR,J directs the Office to place one copy each of this common order in respective original bundle of each application (which are disposed of by this common order) for ready reference and record purpose.

(B/O)

PV

To

1. The Commissioner of Police,

Twin Cities, Basheerbagh, Hyderabad.

2. The Station House Officer, PS Gandhinagar, Hyderabad.

3. The Station House Officer, P.S. Nallakunta,

Hyderabad.

4. The Station House Officer,

P.S. Narayanaguda, Abids Division, Hyderabad.

5. The Station House Officer, P.S. Mahankali,
Secunderabad.

6. Two C.Cs. to G.P. for Home, High Court of A.P.,
Hyderabad (O.U.T.).

7. Two C.D. copies.